

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - SEPTEMBER 7, 2005

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Widener JAMES WIDENER 04-75023 Vogel/JJ
AP 05-07048: Det. Dischargeability ; ***FINAL PRE-TRIAL***
Appalachain Oil Co., Inc. (J. Lyle) vs Debtor
Answer to Complaint and Counterclaim filed 4/20 #6
Defendant filed ANSWER to Counterclaim 4/27; #7

Lawson LAMBERT OIL COMPANY 03-1183 Callahan/GR
AP 05-07045: Recover Money or Property/-***Contd Pre-Trial Only; not a party to settlement motion.***
William F. Callahan Jr. Trustee (Callahan) v. Pepsi Cola Bottling Co
Answer and Affirmative Defenses (Frank/Gecker) 5/2 #11 *cont from 7/7*

Plaintiff Motion to Approve Compromise filed 8/18 #17 (*note: also filed in case file #243*)

AP 05-07047: Recover Money or Property –***Contd Pre-Trial Only; not a party to settlement motion***
William F. Callahan Jr. Trustee (Callahan) v. Smith Wholesale Co Inc
Answer 4/20; # 5 (Kieffer) *cont from 7/7*

Plaintiff Motion to Approve Compromise filed 8/18 #13 (*note: also filed in case file #242*)

A/P 04-07135: 454 Recover Money/Property
Trustee vs Mountain Empire Oil Co., Inc. and Quality Properties (Leggette)
Trustee Motion to Amend Complaint and to Join a party Defendant (*S&T Investment*) filed 8/18 #21
Note: Callahan to tender order granting Motion to add party defendant pursuant to TCC with Chambers held on 8/26. Further P/T to be rescheduled.

9:30 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Lamie	DORIS COFFEY	05-70462	Callahan/SJ
	AP 05-07051: Det. Dischargeability; <u>final pre-trial conference contd fr 6/22</u> Gary Phillips v. Doris Ellen Coffey (Snodgrass) <u>Answer filed 5/6; # 6</u>		
Carmody	WOODROW & CAROLYNN JOHNSON	05-71281	Widener/GR
	AP 05-07056: Determine liens - <i>contd from 6/22 to re-serve d/t trustee</i> Debtors v. Ampio Financial Services Inc.() & Homecomings Financial <i>cont from 7/20</i> <i>See also conf @1:00 PM (pg #5)</i>		

10:00 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Money	REBA ATKINS	05-71290	Vogel/NS
	A/P 05-07083- Dischargeability Debtor vs Wytheville Community College <i>Ord ent 8/25 continues P/T conference to this date</i>		
	AP 05-07082: Det. Dischargeability, <i>cont from 8/17</i> Debtor v. U. S. Dept of Education(Eckert) US Dept of Ed.'s Motion to Dismiss A/P (Eckert) filed 8/1 #4,5 Defendant's Motion to Dismiss Adversary filed 8/1		

10:00 A. M. - MISCELLANEOUS

Carroll	ROGER AND PHYLLIS PHILLIPS	05-72472	Callahan/LM
	Debtor Motion to Dismiss Case filed 8/22 #7		
Timoney	MELISSA LEONARD	05-70084	Vogel/GR
	Motion of Trustee to Dismiss Case filed 7/14; # 29		
Hutchinson	ROGER COMPTON, JR. (<i>Case closed 7/5/05</i>)	05-71310	Voge/SO
	Debtor Motion to Reopen, shorten notice requirement and waive reopening fees filed 8/25 #11		

10:00 A. M. - MISCELLANEOUS

Widener	CLAYBORNE AND JODY OLINGER	04-03784	Vogel/GR
	Trustee Motion to Sell Free and Clear of Liens filed 8/12 #21		
Jessee	LEROY M. HULL CO INC	7-01-03786	Vogel/GR
	Motion of (former) Trustee, Robert Wick, for compensation of \$15,089.16 and \$1,179.58 expenses , d/e # 320, filed 8/26 w/Mot. To Shorten, d/e # 321		
	Obj: U. S. Trustee, filed 9/16; d/e # 323		
	<i>–contd fr. 4/20 & 6/22 and 7/6 to hear w/final appl. of successor trustee</i>		
Harman	ULYSSES AND MARY ALTIZER	03-00975	Callahan/LM
	Application of Trustee (Callahan) for Compensation filed 7/26 #40,44		
Harman	TAMMY BRINKLEY	03-00900	Callahan/JM
	Application of Trustee (Callahan) for Compensation filed 8/16 #64,65,68		
Lamie	DONALD & DONNA JOHNSON	04-1994	Vogel/NS
	Application of Trustee Geo I Vogel, II for compensation filed 7/112; # 42		
	Application of Vogel & Cromwell, LLC Attorney for Trustee for compensation filed 7/11; # 44		
	Report of no objections filed 9/2 #58 (Vogel)		
	Application for compensation Barry Strickland & Co., Accountant		
	<i>– Notice Waived & Ord of 7/21 approved fee</i>		
Carmody	HARRY AND DOROTHY COMBS	05-72443	Wick/JJ
	Motion to Redeem: (2002 Ford) Citizens Auto Finance filed 8/8 #10,11		
Carmody	JAMES MULLINS II	04-695	Allen/NS
	Motion to Avoid Lien of Virginia Credit Union (c/o Jane Watking, CEO)		
	Filed 7/22; # 26		
	<u>Answer filed 8/3 #29</u>		

10:00 A. M. - MISCELLANEOUS

Snodgrass	EDDIE AND MELISSA FARISS Motion to Approve Compromise settlement filed 8/11 #90 (<i>offer of Rayburn Hawks for \$10,000.00</i>)	03-00844	Vogel/JJ
Gifford	TINA PRESLEY Trustee Motion to Dismiss case filed 7/22; #6	05-72461	Wick/SL
Copeland	CLAY & SHEILA GAMBLE Motion of U. S. Trustee to Dismiss Case/Substantial Abuse, filed 7/22; # 15 (Guzinski) <i>Agreed Order entered 9/2 sets discovery due by 11/30 and schedules a Final P/T conf on 12/7 @10 in Abingdon</i>	05-71639	Wick/AF
Carmody	CHARLIE & SUSAN SMITH Motion of U. S. Trustee (Guzinski) to extend issuance of discharge & deadline For filing Motion to Dismiss filed 7/22; # 19	05-71627	Wick/S
Lamie	GUY AND VICKI FRANCIS Motion to Dismiss Case or Transfer Case filed 8/2 #11 (UST (Cosby)) <u>OBJ:</u> filed 8/5 #12 (by debtor)	05-72467	Wick/SL
Hendricks	JOHN AND FAITH BRIGGS Motion for Relief filed 7/29 #11, 15 by Daimler Chrysler Services (Higgs) with motion and order to extend stay #13,14 <i>Default order of 8/9 granted motion and cancels hearing</i>	05-72711	Wick/SO
Arey	DONNA CANTRELL Motion for Relief filed 8/9 #6,7,9 by Citifinancial Mortgage Co. (Zimm) Letter from Arey & Respondent's Certification filed 8/24 by Stephen E. Arey #13,14	05-72773	Wick/LM
Carroll	DAVID AND JANICE FARMER Motion for Relief filed 8/17 #9 by Citifinancial Auto (Zimm) <i>Ord entered 9/2 grants relief</i>	05-72470	Callahan/LM

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10:00 A. M. - MISCELLANEOUS

Copeland TEDDY & JUDITH SWEAT 04-3076 Vogel/LM
Application of Trustee for Compensation & Expenses for Vogel & Cromwell,
Attorney for Trustee filed 7/6; # 36, 37, 38, 41, 42
Report of no objections filed 9/2 #47; hearing canceled

Application for Compensation of Trustee George I Vogel, filed 7/6; #35
37, 38, 43, 44
Report of no objections filed 9/2 #46; hearing canceled

Lamie A.G.N. ENTERPRISES, INC. (Krumm case) 98-04705 DIP/JM
Trustee Motion for Compensation filed 7/26 #392 (absent objections within 5
days of hearing - self executing; *objections if filed to be scheduled for hearing*
via video conference hook-up with Abingdon (no obj as of 8/24)

11:00 A. M. - MISCELLANEOUS

Pro se ROGER WELLS 04-75100 DIP/SJ
Order to Show Cause - Debtor's failure to Comply with this Court's Order of
7/13 - (extension of time to file tax returns)

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen MELISSA AKER 05-70320 Widener/S
Mod Plan filed 7/21; # 21, 22
Motion of Trustee to Convert or Dismiss filed 6/2; # 16 -*contd from 7/6 #18*

Carmody WOODROW & CAROLYNN JOHNSON 05-71281 Widener/GR
Plan filed 4/20 #9, *cont from 7/6 & 7/20*

See also A/P 05-07056 set at 10:00 AM (pg #2)

Gifford ANTHONY & LINDA JONAS 04-975 Widener/LM
First Amended Plan filed 7/7; # 56, 57
Motion of Trustee to Dismiss or convert filed 3/31; #39 - *contd from 5/4 & 7/20*

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

McDaniel CAROLYN BILLINGS 04-3762 Connelly/SL
Mod Plan filed 4/20; # 46, 57
Trustee Motion to Dismiss/convert filed 2/15; # 40, 41 - *contd from 4/6 , 6/8*
7/6 & 8/3

Gifford JAMES AND KIMBERLY DILLOW 05-71580 Widener/GR

Plan filed 4/22; #3, 6, *cont from 8/17*

Motion for Relief filed 8/1 #14,15, 17,19,20 by Homecomings Financial
Network (Sasser) with motion and order to extend the stay
Answer filed 8/9 #21 and 23

Gifford JAMES L. WYATT SR 05-71624 Widener/S
Amended **Chapter 12** Plan filed 7/20; # 24, 25
Obj: Citifinancial Mortgage Co (Bierman) filed 7/25; # 26, 27
Obj: USA/IRS (Eckert) filed 6/14 #19 (*cont from 7/6*)
Ord entered 8/30 Dismisses IRS objection

Trustee Report and Show Cause filed 8/30 #30

Kendrick RAY & DORIS TESTERMAN 04-74454 Widener/SJ
Amended Plan filed 3/11; #21 (w/c-s) conf ntc #15
Trustee Report & Showcause filed 3/7, #19 — *contd from 5/4 , 6/8 & 8/3*

Valuation: GMAC (2001 Chevrolet) filed 8/8 #34

1:00 P.M. MISCELLANEOUS

Lamie BOBBY AND BRENDA VENCILL 01-04512 Widener/SO
Motion to Incur Debt filed 8/12 #152, 153

Hart JOSEPH AND PAMELA GROSECLOSE 02-05059 Widener/SJ
Motion to Incur Debt (Amended) filed 8/15 #77
OBJ: filed 8/30 #78 (Widener)

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Carmody NICOLE DOTSON (BSG case) 05-71314- **WSB** Widener/VS
 Motion for Relief by GMAC Mortgage(McQuiddy) filed 6/20 #20, 23
 (w/**permission from court to be heard in Abingdon**) *cont from 7/20*
Answer filed 7/7; # 32

Motion for Co-Debtor stay by GMAC Mortgage(McQuiddy) filed 6/21 #22, 24
cont from 7/20
Continued to 10/4 @1 in BSG by order entered 9/7/05 #51

Note: 2nd amended plan filed 8/22 schedules conf for 10/4 @1 in BSG

1:30 P. M. - MISCELLANEOUS

Largen VERI AND JEWEL BROWN 04-74683 Widener/GR
 Motion for Relief filed 8/1 #30, 33 with motion to extend stay #32 filed by
 Select Portfolio Servicing (Hildebeidel)
Ord entered 8/4 Dismisses Motion for Relief

Hutchinson GARY AND SUSAN WALLACE 03-03003 Widener/JM
 Motion to Incur Debt filed 8/9 #41, 43 (*cont from 8/17*)

Hutchinson THOMAS AND PATRICIA WIDENER 02-04030 Widener/AF
 Motion to Incur Debt with Motion to Shorten time filed 8/9 #28, *cont from 8/17*

2:00 P. M. - MISCELLANEOUS

Gifford JAMES & LAURA ALBERT 05-70838 Wick/AF
 Motion of U. S. Trustee to dismiss case for Substantial Abuse filed 7/8; # 15
 (Guzinski)
Response filed 8/19 #16

Carmody MAURICE & GENEVA WALTERS 02-265 Widener/SL
 Trustee Motion to Dismiss or Convert filed 3/31; # 120 - *contd from 5/4 & 7/20*

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2:00 P. M. - MISCELLANEOUS

Fleenor RUFUS & BETTY MURRAY 01-4667 Widener/SL
Trustee Motion to Convert or Dismiss filed 5/20; # 81 - *contd from 6/22 & 8/3*

Snodgrass WILBERT & PALFALENE CHANDLER 03-5187 Widener/GR
Motion of Trustee to Convert/dismiss filed 4/25; # 33 - *contd fr 6/8, 7/6 & 8/3*
Ord of 8/24 withdraws motion/hearing cancelled

Via KENA AND TRACY BARBER 03-00282 Widener/GR
Motion for Relief filed 8/8 #81,83 by Donna Helton and William Helton
(Gifford)
Order entered 8/25 Grants Relief

Carmody HAROLD & BRENDA MCGUIRE 05-72697 Wick/NS
Motion to Redeem & Fix Value of Personal Property upon
which Chase Auto Finance has lien filed 7/22; # 6
Response filed 8/19 #7 & 8/24 #9 (Huebschman)